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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,433	02/13/2002	Su-Mei Chen		7811

7590 01/09/2004  
Troxell Law Office  
5205 Leesburg Pike  
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Falls Church, VA 22041

EXAMINER

SAWHNEY, HARGOBIND S

ART UNIT PAPER NUMBER

2875

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/074,433	Applicant(s) CHEN, SU-MEI	
	Examiner Hargobind S Sawhney	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2003.
- 2a) ☐ This action is FINAL.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2 and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2 and 4-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |                                                                                              |                                                                             |
|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. The amendment filed on June 12, 2003 has been entered. Accordingly:
  - The renovation of Power of Attorney and Appointment of New Attorney has been entered;
  - The change of address has been entered;
  - Claims 1 and 3 have been cancelled; and
  - Claims 2, 4 and 5 have been amended; and new Claim 6 has been added.

### ***Allowable Subject Matter***

2. The indicated allowability of claims 2, 4 and 5 is withdrawn in view of the newly discovered reference(s) to Reynolds (US Patent Application Pub. No. US 2002/0059743 A1). Rejections based on the newly cited reference(s) follow.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Mizobe (US Patent No. 5,249,104).

Regarding claims 2 and 6, Mizobe ('104) discloses a display seat B (Figures 3 and 4) comprising:

- a transparent seat body 13 - a combination of elements 13,14, 20-22 hereafter referred as the seat body 13 - (Figures 3 and 4, column 4, lines 66-68 and column 5, lines 1-4) having a recess at its bottom;
- a circuit substrate 18 bearing the LEDs 17 positioned into the recess of the seat body 13 (Figures 3 and 4);
- a plurality of light emitting diodes (LEDs) 17 (Figures 3 and 4, column 4, line 64) connected to the circuit substrate 18 (Figures 3 and 4);
- the circuit board 18 electrically connected to the power source (Not shown) for actuating the LEDs 17 (Figures 3 and 4);
- the seat body 13 having a shallow grooves 19 formed on its top portion (Figures 3 and 4, column 5, lines 7-10) for possible receipt of display articles;
- the transparent seat 13 further including a recess at the bottom, and the recess further having a plurality of cavities 23 (Figures 3 and 4, column 5)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizobe (US Patent No. 5,249,104) in view of Reynolds (US Patent Application Pub. No.: US 2002/0059743 A1) hereafter referred as Reynolds.

Mizobe ('104) discloses a display seat B (Figures 3 and 4) comprising:

- a transparent seat body 13 - a combination of elements 13,14, 20-22 hereafter referred as the seat body 13 - (Figures 3 and 4, column 4, lines 66-68 and column 5, lines 1-4) having a recess at its bottom;
- a circuit substrate 18 bearing the LEDs 17 positioned into the recess of the seat body 13 (Figures 3 and 4);
- a plurality of light emitting diodes (LEDs) 17 (Figures 3 and 4, column 4, line 64) connected to the circuit substrate 18 (Figures 3 and 4);
- the circuit board 18 electrically connected to the power source (Not shown) for actuating the LEDs 17 (Figures 3 and 4);

However, Mizobe ('104) does not teach a seat body having circuit board bearing LEDs, and operationally coupled to a circuit electronically controlling sequential actuation and flashing of the LEDs.

On the other hand, Reynolds discloses a display (Figure 1) comprising a circuit 280 electronically controlling sequential actuation and flashing of the LEDs (Figure 9, Para. 0099).

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the seat body of Mizobe ('104) by providing circuit as taught by Reynolds for the benefits and advantages of producing a variety of patterns for high attraction value of illuminated displays.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mizobe (US Patent No. 5,249,104).

Regarding claims 2 and 6, Mizobe ('104) discloses a display seat B (Figures 3 and 4) comprising:

- a transparent seat body 13 - a combination of elements 13,14, 20-22 hereafter referred as the seat body 13 - (Figures 3 and 4, column 4, lines 66-68 and column 5, lines 1-4) having a recess at its bottom;
- a circuit substrate 18 bearing the LEDs 17 positioned into the recess of the seat body 13 (Figures 3 and 4);
- a plurality of light emitting diodes (LEDs) 17 (Figures 3 and 4, column 4, line 64) connected to the circuit substrate 18 (Figures 3 and 4);
- the circuit board 18 electrically connected to the power source (Not shown) for actuating the LEDs 17 (Figures 3 and 4);

However, Mizobe ('104) teaches the LEDs mounted on the top of the circuit board 10 instead of the LEDs being mounted at the bottom of the circuit board 18 as claimed by the applicant.

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the seat body by rearranging the LEDs – mounting the LEDs at the bottom of the circuit board -, since it has been held that rearranging parts of an invention involves only routine skill in the art.

### ***Response to Amendment***

8. Applicant's arguments filed on June 12, 2003 with respect to the 35 U.S.C. 103(a) rejections of claims 1 and 3 have been fully considered but they are not considered but are moot because of cancellation of the claims, and in view of the new ground(s) of rejections.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jackson et al. (U.S. Patent No. 6,578,981 B2);

Guritz (U.S. Patent No. 5,575,554);

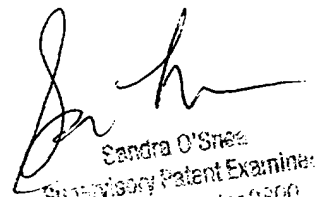
Each of the above-indicated prior arts discloses a lighting apparatus comprising some of the claimed features claimed by the applicant.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 703-306-5909. The examiner can normally be reached on 7:30 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2956.

HSS  
December 9, 2003

  
Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800